UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/504,803	02/16/2000	P. Howard Edelstein	01985-P0040A	6146

7590   03/27/2002

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EXAMINER
FELTEN, DANIEL S

ART UNIT	PAPER NUMBER
2164	

DATE MAILED: 03/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE __3__ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on *16 February 2000* .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-53* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-53* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

     If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____ .

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

     a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2* .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

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DETAILED ACTION

1

Claim Rejections - 35 USC § 102

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3   1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

4   the basis for the rejections under this section made in this Office action:

5   A person shall be entitled to a patent unless --

6   (e) the invention was described in a patent granted on an application for patent by another filed in the United
7   States before the invention thereof by the applicant for patent, or on an international application by another
8   who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 of this title before the
9   invention thereof by the applicant for patent.

10   2.   Claims 1-53 are rejected under 35 U.S.C. 102(e) as being anticipated by Hawkins et al

11   (hereinafter "Hawkins", US 6,029,146).

12   **As in claims 1, 3-6, 23, 34, 38, 41 and 42:**

13   Hawkins discloses a system for facilitating the processing and management of a securities trade

14   (see Hawkins, Abstract) comprising:

15   A computer (see Hawkins, col. 3, ll. 51-54);

16   trade execution information received by the computer, said trade execution information

17   indicative of an executed trade by a first trading party (*executing broker*) (see Hawkins, col. 3, ll.

18   61-64);

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1   trade allocation information received by the computer, the trade allocation information

2   indicative of an ordered trade by a second trading party (*originating broker*) (see Hawkins, col.

3   3, ll. 61-64);

4   a set of predefined acceptable trade parameters/profiles (see Hawkins, col. 4, ll. 10+) ;

5   and

6   software executing on the computer for comparing the trade execution information with

7   the trade allocation information, and for determining that a match exists if the trade execution

8   information and the trade allocation information correlate within the set of predefined acceptable

9   trade parameters (see Hawkins, col. 3 , ll. 64 to col. 4, ll. 47).

10

11   **As in claim 2:**

12   Wherein the set of predefined acceptable trade parameters is dependent of the identities of the

13   first trading party and the second trading parties (see Hawkins, figs. 8-10; col. 12, line 19 to

14   col. 13, line 28).

15

16   **As in claim 7, 29:**

17   wherein if a match is not found to exist, software executing on the computer generates and

18   transmits an exception notification to the first trading party and the second trading party

19   informing them that an exception has been detected, and further comprising software executing

20   on the computer for receiving an instruction for exception processing from at least one of the

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1   first trading party and second trading party, and for processing the exception according to the

2   instruction for exception processing (see Hawkins, col. 3, lines 48 +).

3

4   **As in claim 8, 30:**

5   the instruction for exception processing comprises instruction to reject the match, and wherein

6   the system terminates processing of the trade (see Hawkins, col. 3, lines 48 +).

7

8   **As in claim 9, 31:**

9   the instruction for exception processing comprises an instruction to force the match, and

10   wherein the system continues processing the trade (see Hawkins, col. 3, lines 48 +).

11

12   **As in claim 10, 32:**

13   the instruction for exception processing comprises an instruction to modify at least one of the

14   trade execution information and the trade allocation information and wherein the system

15   continues processing the trade (see Hawkins, col. 3, lines 48 +).

16

17   **As in claim 11, 39:**

18   wherein the trade execution information and said trade allocation information including

19   minimum pairing data;

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1   further comprising software executing on said computer for comparing said trade

2   execution information with said trade allocation information, the software determining that a

3   paring exists if the minimum pairing data pairing data of said trade execution information

4   corresponds to the minimum pairing data of said trading execution information corresponds to

5   the minimum pairing data of the trading allocation information; and

6   wherein the matching software compares trade execution information and trade

7   allocation information only after a pairing has been found to exist (see Hawkins, col. 3, lines

8   48+).

9

10   **As in Claim 12, 33:**

11   the minimum pairing data comprises an indicator of whether shares are being bought or sold,

12   an indicator of a trade date, a security identification, and an indicator of the number of shares

13   traded (see Hawkins, col. 3, lines 48+).

14

15   **As in Claim 13, 40:**

16   an affirmation generated by the computer if a match is determined to exist, the affirmation

17   being transmitted to the first trading party and the second trading party confirming that a match

18   has been detected by matching software and containing all data necessary for settling the trade

19   (see Hawkins, col. 3, lines 48+).

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1   **As in claims 14-18, 24, 35, 43-45:**

2   having a plurality of enrichment databases having enrichment data stored thereon (see

3   Hawkins, fig. 18, col. 15, line 51 to col. 16, line 6).

4

5   **As in claim 19, 25:**

6   allowing the first trading party and second trading party to access the trade status database in

7   order to view the real-time status of the trade (see Hawkins, col. 8, lines 1-10).

8

9   **As in claim 20, 36 and 37:**

10   wherein first trading party is a broker and wherein the trade execution information is extracted

11   from an order execution notice received by the computer (see Hawkins, col. 3, line 48 to col.

12   4, line 3; and col. 7, line 47+).

13

14   **As in claims 21, 22, 46-48:**

15   ...Extracting the trade execution information from an order execution notice;...extracting trade

16   allocation information from an allocation;...translating the trade execution information and

17   trade allocation into a usable format (see Hawkins, col. 3, line 48 to col. 4, line 3).

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1   **As in claims 49-53:**

2   ...transmitting exception notification (see Hawkins, col. 3, line 48 to col. 4, line 3).

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Conclusion

2

3   3.   A list of relevant prior art appears below not relied upon in this Office Action:

4

5   Hawkins et al (US 6,247,000 B1) discloses a method and system for confirmation and settlement

6   for financial transactions matching.

7

8   4.   Any inquiry concerning this communication or earlier communications from the examiner

9   should be directed to *Daniel S. Felten* whose telephone number is (703) 305-0724.   The

10   examiner can normally be reached between the hours of 7:00AM to 5:30PM Monday-Thursday.

11   Any inquiry of a general nature relating to the status of this application or its proceedings should

12   be directed to the Customer Service Office (703) 306-5631, or the examiner's supervisor

13   *Vincent Millin* whose telephone number is (703) 308-1065.

14

15   5.   Response to this action should be mailed to:

16

17   Commissioner of Patents and Trademarks

18   Washington, D.C. 20231

19

20   for formal communications intended for entry, or (703) 305-0040, for informal or draft

21   communications, please label "Proposed" or "Draft".

22   Communications via Internet e-mail regarding this application, other than those under 35

23   U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be

24   addressed to *[daniel.felten@uspto.gov]*.

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All Internet e-mail communications will be made of record in the application file. PTO

employees do not engage in Internet communications where there exists a possibility that

sensitive information could be identified or exchanged unless the record includes a properly

signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly

set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and

Trademark on February 25, 1997 at 1 195 OG 89.

DSF

March 19, 2002

VINCENT MILLIN
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